

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD L. SPENCE :  
v. :  
RAYMOND J. SOBINA, ET AL. :  
:

CIVIL ACTION NO. 09-3202

**O R D E R**

**AND NOW**, this 30th day of March 2011, upon consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, after review of the report and recommendation of United States Magistrate Judge L. Felipe Restrepo, and no objections having been filed, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED**;
3. A certificate of appealability shall not issue, since for the reasons set forth in the Report and Recommendation, petitioner has not made a substantial showing of the denial of a constitutional right.

**BY THE COURT:**



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**R. BARCLAY SURRICK, J.**